

Please enter the amendment below and consider the remarks that follow.

Amendments

IN THE CLAIMS:

1. (Twice Amended) An isolated cDNA or recombinant nucleic acid encoding a DRG11 protein, wherein said cDNA or recombinant nucleic acid hybridizes under high stringency conditions to a complement of a nucleic acid molecule having a sequence as set forth in SEQ ID NO:1, and wherein said DRG11 protein is characterized by its natural expression in sensory neurons and dorsal horn neurons of the spinal cord and wherein its natural expression is absent in non-neuronal cells, sympathetic neurons and ventricular neurons of the spinal cord.
- (Handwritten mark: A circle with a cross through it, followed by 'sub F')*

Remarks

Claims 1, 2 and 4-7 are under consideration in this case. A list of these claims is enclosed as an appendix for the Examiner's convenience.

Claim 1 has been amended to specify that the nucleic acid is a cDNA or recombinant nucleic acid. Support is found at page 8, lines 8-17.

Rejection under 35 U.S.C. § 101

Claims 1, 2 and 4-7 are rejected under 35 U.S.C. § 101 for lacking utility "because the claimed invention is not supported by either a specific and/or substantial asserted utility or a well established utility." Applicants respectfully traverse.

The Examiner has identified a statement of utility in the specification on page 20,